

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRECK SMITH,)
)
 Petitioner,) 2:10-CV-01596-PMP-PAL
)
 vs.)
) ORDER
 ANTHONY SCILLIA, *et al.*,)
)
)
 Respondent.)
 _____)

Petitioner Breck Smith has filed an application to proceed *in forma pauperis* and submitted a petition for a writ of habeas corpus and various motions. Based on the current information about petitioner's financial status, including any additional information he may have provided, the Court finds that he is able to pay the full fee pursuant to 28 U.S.C. § 1915.

IT IS THEREFORE **ORDERED** that petitioner's motion for leave to proceed *in forma pauperis* without having to prepay the full filing fee is **DENIED**. Petitioner shall have thirty (30) days from the date this order is **ENTERED** in which to have the designated fee sent to the Clerk. Failure to do so may result in the dismissal of this action. The Clerk is directed to **RETAIN** the complaint but not file it at this time.

DATED: September 21, 2010.



PHILIP M. PRO
United States District Judge